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15 Facebook, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE FACEBOOK BIOMETRIC
INFORMATION PRIVACY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**DECLARATION OF JOHN
NADOLENCO IN SUPPORT OF
FACEBOOK, INC.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Master Docket No.: 3:15-CV-03747-JD

Date: March 29, 2018
Time: 10:00 a.m.
Location: Courtroom 11

Hon. James Donato

1 I, John Nadolenco, under penalty of perjury of the laws of the United States, depose and
2 state as follows:

3 1. I am an attorney licensed to practice before the courts of the State of California
4 and this Court. I am a partner with the law firm of Mayer Brown LLP, counsel for defendant
5 Facebook, Inc. ("Facebook") in the above-captioned matter.

6 2. I make this declaration on my own personal knowledge and, if called upon as a
7 witness to do so, I could and would competently testify as to the matters set forth herein.

8 3. Attached hereto as Exhibit 1 is a true and correct copy of the Declaration of Omry
9 Yadan in Support of Facebook, Inc.'s Motion for Summary Judgment (*In re Facebook Biometric*
10 *Dkt. 257-9; Gullen Dkt. 105-9*).

11 4. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the
12 deposition of Omry Yadan dated October 26, 2017.

13 5. Attached hereto as Exhibit 3 are true and correct copies of excerpts from the
14 deposition of Yaniv Taigman dated October 18, 2016.

15 6. Attached hereto as Exhibit 4 is a true and correct copy of the Expert Report of Dr.
16 Matthew Turk as served by Facebook, Inc. on December 22, 2017.

17 7. Attached hereto as Exhibit 5 is a true and correct copy of Facebook, Inc.'s
18 Amended and Supplemental Response to Plaintiffs' Second Set of Interrogatories dated October
19 5, 2017.

20 8. Attached hereto as Exhibit 6 is a true and correct copy of Facebook, Inc.'s
21 Response to Plaintiffs' First Set of Requests for Admission dated July 15, 2016.

22 9. Attached hereto as Exhibit 7 is a true and correct copy of Facebook, Inc.'s
23 Response to Plaintiffs' Third Set of Requests for Production of Documents dated July 15, 2016.

24 10. Attached hereto as Exhibit 8 are true and correct copies of excerpts from the
25 deposition of Carlo Licata dated October 24, 2017.

26 11. Attached hereto as Exhibit 9 are true and correct copies of excerpts from the
27 deposition of Adam Pezen dated October 24, 2017.

28 12. Attached hereto as Exhibit 10 are true and correct copies of excerpts from the

1 deposition of Nimesh Patel dated December 7, 2017.

2 13. Attached hereto as Exhibit 11 is a true and correct copy of an Order dated June
3 27, 2017, filed in *Rivera v. Google Inc.*, No. 16 C 02714 (N.D. Ill.) (“*Rivera* 1292(b) Order”).

4 14. Attached hereto as Exhibit 12 is a true and correct copy of a document Bates-
5 numbered GULLEN-000001, produced by plaintiff during discovery in No. 3:16-cv-00937-JD.

6 15. Attached hereto as Exhibit 13 is a true and correct copy of a document Bates-
7 numbered GULLEN-000002, produced by plaintiff during discovery in No. 3:16-cv-00937-JD.

8 16. Attached hereto as Exhibit 14 are true and correct copies of excerpts from the
9 deposition of Frederick William Gullen dated October 25, 2017.

10 I declare under penalty of perjury under the laws of the State of California and the United
11 States that the foregoing is true and correct.

12 Executed this 26th day of January, 2018, in Los Angeles, California.

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15 /s/ John Nadolenco
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